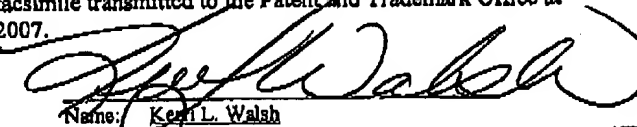


**ATTORNEY DOCKET NUMBER: 2006579-0221 (CTX-061)
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|--------------|---|-----------|---------------|
| Appellants: | Richard Hayton et al. | Examiner: | Tran, Quoc A. |
| Serial No.: | 09/704,896 | Art Unit: | 2176 |
| Filing Date: | November 2, 2000 | | |
| Title: | METHODS AND APPARATUS FOR INCORPORATING A PARTIAL PAGE ON A CLIENT | | |

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| I certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office at facsimile no. (571) 273-8300, on February 12, 2007. | |
| February 12, 2007 Date |  Name: Keith L. Walsh |

REPLY BRIEF

Pursuant to 37 C.F.R. §41.41, Appellants offer the comments in this Reply Brief to clarify confusion caused by new assertions made in the Examiner's Answer mailed December 11, 2006. Namely, Appellant's respectfully submit that:

- (1) United States Patent No. 5,983,227 to Nazem *et al.* ("Nazem") does not teach receiving, by the client, a modified version of one of the dynamic portions of the page and an identifier specifying one of the plurality of dynamic portions of the transmitted page to be replaced by the modified version of one of the dynamic portions; and
- (2) United States Patent No. 6,311,187 to Jeyaraman *et al.* ("Jeyaraman") does not teach incorporating, by the client, the modified version of one of the dynamic portions into the transmitted page displayed on the client responsive to the modification list.

The deadline for filing this Reply Brief is today, February 12, 2007, pursuant to 35 U.S.C. 21 (b).

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Arguments

Rejection under 35 U.S.C. 103(a) over United States Patent No. 5,983,227 to Nazem et al. ("Nazem") and United States Patent No. 6,311,187 to Jeyaraman et al. ("Jeyaraman")

- (1) Nazem teaches a page server that generates a complete page in response to a request for the page without the need to make requests from other servers for portions of live data, which is different from receiving, at a client, a modified version of a dynamic portion of a page.

Reversing the position he has maintained for 18 months, the Examiner now states that upon further review and consideration of Nazem, it is "clear" that Nazem:

equates the claimed receiving by the client to suggest displaying web page [sic] on a browser, wherein the page obtains from a page server item [sic] via Internet (Nazem, col. 2, lines 50-55, Fig. 1), and Nazem's discloses [sic] dynamic page returned [sic] by page server [sic] to client includes plurality [sic] of elements which are build [sic] according to a user template and live data in the server/client internet environment for displaying the most recent information to the appropriate portion and/or module with correct time and date for particular user is equivalent to the claimed a modified version of one of the dynamic portion of the page (emphasis in original).

See Examiner's Answer, pages 10-11.

Even taking the Examiner's statements at face value, it is clear that Nazem wholly lacks the concept of a client receiving only a modified portion of a page from a server and replacing a dynamic portion of the page with the received modified portion of the page. The purpose of Nazem is to store live data in a local, shared memory that is used by a server to generate a complete page in response to a client request for the page without the need to make requests from other servers for portions of live data and to then transmit the page, in its entirety, to the client. See Nazem, col. 1, lines 61-67, and col. 2 lines 8-11.

- (2) Jeyaraman teaches specifying the operations needed to manipulate nodes within client copies of data and transmitting the operations in updates to clients, which is different from incorporating, by the client, the modified version of one of the dynamic portions into the transmitted page displayed on the client responsive to the modification list.

In the Examiner's Answer, the Examiner admits that Nazem fails to teach incorporating, by the client, the modified version of one of the dynamic portions into the transmitted page displayed on the client responsive to the modification list. In response to Appellants' arguments the Jeyaraman also fails to teach or suggest this claim limitation, the Examiner states:

Additionally the appellant argues that (C) the client does not implement any changes or modifications to the page, receiving instead pages in their entirety [sic] from server [sic], nor would transmission of an operation to execute of a client [sic] to modify a client page improve the ability of a server to retrieve live data from other servers. The Examiner disagrees, first, a client page improve [sic] the ability of a server to retrieve live data from other servers is not positively recited in the claim language (emphasis in original).

See Examiner's Answer, page 11.

Appellants respectfully submit that the Examiner has misunderstood the argument presented in the Appeal Brief. The language with which the Examiner takes issue is from Appellants argument that there is no motivation contained in the cited references to modify Jeyaraman or to combine Jeyaraman with Nazem to arrive at the claimed invention.

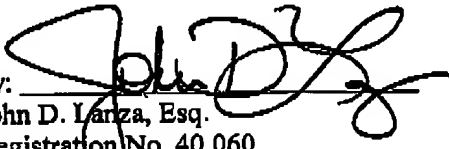
Even assuming, for the sake of argument, that Jeyaraman did suggest transmission of a modified version of data, one of ordinary skill in the art would not be motivated to modify a system for providing a page server with improved access to live data as described in Nazem to require the page server to transmit an instruction to a client to modify a page as required by Jeyaraman. As discussed above, in Nazem a server generates an entire page and transmits the entire page to the client. The client does not implement any changes or modifications to the page, receiving instead pages in their entirety from a server. Nor would transmission of an operation to execute on a client to modify a client page improve the ability of a server to retrieve live data from other servers. Therefore, transmission of portions of pages for implementation by the client would require changing the principle on which Nazem operates.

See Revised Appeal Brief, page 15 (emphasis added). Jeyaraman does not teach or suggest the claim limitation, nor does the Examiner's mere repetition of his summary of Jeyaraman and of Nazem provide a motivation for combining Jeyaraman and Nazem.

Appellants, therefore, respectfully submit that, even with the new arguments presented by the Examiner, there is no suggestion or motivation, either in the cited references or in the knowledge generally available to one of ordinary skill in the art, to modify Nazem or Jeyaraman in the manner suggested by the Examiner. The Examiner has, therefore, failed to establish a *prima facie* case of obviousness, the rejection of claims 1, 3-11, 13-15, 17 and 18 under 35 U.S.C. §103 should be reversed and the application remanded to the Examiner with instructions to allow those claims.

Respectfully submitted,
Choate, Hall & Stewart, LLP

Dated: February 12, 2007

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